



*State of New Jersey*  
DEPARTMENT OF COMMUNITY AFFAIRS  
101 SOUTH BROAD STREET  
PO BOX 800  
TRENTON NJ 08625-0800

RICHARD J. CODEY  
*Acting Governor*

SUSAN BASS LEVIN  
*Commissioner*

November 8, 2004

Dear Mayor,

New Jersey's Statewide Transfer of Development Rights Act is the first in the nation. This innovative smart growth legislation allows a town to initiate a transfer of development rights program in its community, or in cooperation with other municipalities. With a transfer of development rights program, development potential in a specified preservation area can be purchased by private investors for use in a targeted growth area. This process reduces the consumption of our critical resources, while still accommodating growth, and eliminates the "windfalls and wipeouts" in property values normally associated with zoning changes.

We are committed to working closely with communities who want to implement transfer of development rights programs. Our first step is to establish four demonstration projects throughout the state that will create models and best practices for others to draw upon as they embark on the transfer of development rights planning process. Remember that a transfer of development rights program is not just for rural communities wishing to preserve farmland. It can be a useful tool for preserving historic structures, open space and environmentally sensitive lands, and the growth can be accommodated in new centers, existing centers or even redevelopment areas. It is an extremely versatile tool that nearly every community in New Jersey could benefit from.

Our goal is to have the demonstration projects completed by summer 2005, so that future participants can gain from the experiences of communities that have successfully implemented a transfer of development rights program. A transfer of development rights program entails the inclusion of a development transfer element, a capital improvement plan and utility service plan into the municipal master plan, the completion of a real estate market analysis, approval of the municipality's petition for initial plan endorsement by the State Planning Commission and the passage of a transfer of development rights ordinance. For municipalities that wish to be leaders in implementing a transfer of development rights program, the Office of Smart Growth will provide assistance through every step of the process.

If you are interested in implementing a transfer of development rights program in your community, please fill out and return the enclosed questionnaire. For those wishing to be a demonstration community, we ask that you return the questionnaire by December 8<sup>th</sup>. We hope to formally announce the demonstration projects later that month. Please feel free to contact Courtenay Mercer in the Office of Smart Growth at (609) 943-9938 if you have any questions about the demonstration projects, or transfer of development rights in general.

Thank you,

A handwritten signature in cursive script that reads "Susan Bass Levin".

Susan Bass Levin



## TDR Information Sheet

**Municipality:** \_\_\_\_\_

**County:** \_\_\_\_\_

**Contact Person:** \_\_\_\_\_

**Address:** \_\_\_\_\_  
\_\_\_\_\_

**Phone:** \_\_\_\_\_

**Fax:** \_\_\_\_\_

**E-mail:** \_\_\_\_\_

	YES	NO
Are you interested in being a demonstration project?	<input type="checkbox"/>	<input type="checkbox"/>

Do you have the support of the municipal governing body, planning board and citizens to pursue a transfer of development rights program?	<input type="checkbox"/>	<input type="checkbox"/>
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**When was your master plan last up-dated?** \_\_\_\_\_

**Describe the area you wish to preserve (sending area), including the type, use, size and any other notable information:**

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**Describe past efforts to publicly preserve the proposed sending area:**

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**Describe the potential receiving area(s), including the current use, proposed use and density, and any other notable information:**

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**Describe the existing infrastructure capacity and/or needs of the proposed receiving area(s):**

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**If you are proposing an inter-municipal transfer program, describe your role in the cooperative effort:**

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**Please provide any other information you think is appropriate:**

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Should you have any questions, please contact Courtenay Mercer in the Office of Smart Growth at (609) 943-9938 or [courtenay.mercer@dca.state.nj.us](mailto:courtenay.mercer@dca.state.nj.us)

Return form to:  
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Office of Smart Growth  
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